



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3140

**SUPERFUND AND
EMERGENCY MANAGEMENT
DIVISION**

Dale Huett
Owyhee Caldera Minerals, LLC
c/o West Coast Mining, Inc.
P.O. Box 133
College Place, Washington 99324

RE: Opalite Mine Site in Malheur County, Oregon

Dear Mr. Huett,

The U.S. Environmental Protection Agency, Region 10 ("EPA") needs to enter the property owned by Owyhee Caldera Minerals, LLC, located at Tax Lot 701, Map Number 40S40ED001, Malheur County, Oregon, in order to investigate mercury, arsenic, and antimony contamination at the Opalite Mine Site ("Site"), and plan for appropriate response actions.

Entry on this property is necessary to characterize the extent of any potential contamination on the property, to confirm the locations of new tax lot lines, to assess options for locations for proposed road closure, soil removal, and a potential bypass road, and to conduct any necessary response actions at the Site. Specifically, EPA plans to visit the property with a surveyor to confirm the recently created new tax lot lines and how the new tax lot lines may impact previously planned response actions at the Site. Results of the property visit will be used by EPA to help determine the need for and scope of any response activities necessary at this property. The purpose of this letter is to provide you with notice of the Administrative Order Directing Compliance with Request for Access ("Order"). The Order is enclosed with this letter.

Pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. § 9604(e), EPA and/or its representatives are authorized to enter any property, or adjacent property, where entry is needed to determine the need for response or the appropriate response. EPA's Order is within the scope of this statutory authority.

If you have any technical questions, please contact Mike Boykin of my staff at 206-553-6362. If your questions are of a legal nature, please contact Nick Vidargas, Assistant Regional Counsel, at 206-553-1460.

Thank you for your assistance in this matter.

Sincerely,



Wally Moon

Section Chief

Spill Prevention and Removal Section

Enclosure

cc: Dustin A. Martinsen, Registered Agent, Owyhee Caldera Minerals, LLC